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7 UNITED STATES BANKRUPTCY COURT

8 DISTRICT OF NEVADA

9 In re
 10 META MATERIALS INC.,
 11 Debtor.

Case No.: 24-50792-hlb
 (Chapter 7)

***EX PARTE APPLICATION BY CHAPTER
 7 TRUSTEE TO EMPLOY THE LAW
 FIRMS OF CHRISTIAN ATTAR AND
 KASOWITZ BENSON TORRES LLP AS
 SPECIAL LITIGATION COUNSEL***

Hearing Date: N/A
 Hearing Time:

17 Pursuant to 11 U.S.C. § 328(a) and F.R.Bankr.P. 2014, Christina Lovato, the duly
 18 appointed and acting chapter 7 trustee ("Trustee"), requests an order authorizing the employment
 19 of law firms of Christian Attar, and Kasowitz Benson Torres LLP (together the "Firms"), to act as
 20 special counsel for the Chapter 7 estate of Meta Materials, Inc., ("Debtor" or "Estate"). The Firms
 21 will investigate potential claims and, if meritorious, pursue litigation related to suspected stock
 22 manipulation through illegal trading practices such as 'naked short selling' and 'spoofing.'

23 This Application is supported by the separately filed Declarations of James W. Christian
 24 and Stephen W. Tountas. In support of this Application, the Trustee represents as follows:

25 1. Debtor Meta Materials Inc. filed a chapter 7 petition on August 9, 2024 ("Petition
 26 Date"), and Christina Lovato was duly appointed as the Chapter 7 trustee ("Trustee").

27 2. In fulfilling her duties under § 704, and based upon her investigation of the events
 28 leading up to the filing of the Chapter 7 case, the Trustee has learned that, prior to the filing of the

1 case, the Christian Attar firm began a preliminary investigation into activities related to a merger
2 in which Meta Materials (“MMAT”), acquired Torchlight Energy Resources (“TRCH”), both of
3 which were listed on NASDAQ.¹ A summary of the potential litigation is attached to this
4 Application as Exhibit A.

5 3. The Trustee believes retention of counsel specializing in this particular area of the
6 law, involving the purchase and sale of securities, is necessary to represent the Estate’s interest in
7 recovery for the benefit of creditors and, potentially, for equity.

8 4. The Firms will undertake the engagement on a contingency basis of Thirty Percent
9 (“30%”). Importantly, the Firms have arranged for a litigation-funding source of approximately
10 \$11,000,000 which eliminates any risk to the Estate for payment out-of-pocket expenses such as
11 travel, discovery, depositions, and expert witnesses. The engagement agreement for both Christian
12 Attar and the Kasowitz firms is attached as Exhibit B.

13 5. To the best of the Trustee’s knowledge, the Firms do not represent any interests
14 adverse to the Estate in the matters upon which they are to be engaged and are disinterested as that
15 term is defined in 11 U.S.C. § 101(14). There are no present connections which the Firms and/or
16 their employees have with the Estate, any of its creditors, any other party in interest, their
17 respective attorneys and accountants, the United States Trustee, or any person employed in the
18 office of the United States Trustee.

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¹ National Association of Securities Dealers Automatic Quotation System.

1 WHEREFORE, the Trustee requests that employment of the law firms of Christian Attar
2 and Kasowitz Benson Torres LLP be approved by this Court, effective as of the date of the order
3 approving employment, for the purpose and on the terms and conditions set forth above.

4 DATED: October 31, 2024.

5 HARTMAN & HARTMAN

6 /s/ Jeffrey L. Hartman

7 Jeffrey L. Hartman, Esq., Attorney for
8 Christina Lovato, Trustee

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10 APPROVED

11 /s/ Christina Lovato
12 Christina Lovato, Trustee

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